

6682. Adulteration and misbranding of acetanilid tablets, nitroglycerin tablets, acetyl salicylic acid tablets, acetphenetidin and salol tablets, and quinine sulphate tablets. U. S. * * * v. Carroll Dunham Smith Pharmacal Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 8968. I. S. Nos. 1125-p, 1128-p, 1129-p, 1130-p, 1131-p.)

On August 22, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Carroll Dunham Smith Pharmacal Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on September 25, 1917, from the State of New York into the State of New Jersey, of quantities of articles labeled in part, "acetanilid tablets," "nitroglycerine tablets," "acetyl salicylic acid tablets," "acetphenetidin and salol tablets," and "quinine sulphate tablets," which were adulterated and misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results:

ACETANILID TABLETS.

| | |
|---|------|
| Acetanilid (grains per tablet)..... | 2.98 |
| Shortage from declared amount (per cent)..... | 40 |

NITROGLYCERIN TABLETS.

| | |
|---|--------|
| Nitroglycerin (grain per tablet)..... | 0.0139 |
| Shortage from declared amount (per cent)..... | 30 |

ACETYSALICYLIC ACID TABLETS.

| | |
|---|------|
| Acetylsalicylic acid (grains per tablet)..... | 4.24 |
| Shortage from declared amount (per cent)..... | 15 |

ACETPHENETIDIN AND SALOL TABLETS.

| | |
|---|------|
| Acetphenetidin (grain per tablet)..... | 4.37 |
| Shortage from declared amount (per cent)..... | 85 |
| Salol (grains per tablet)..... | 1.45 |
| Shortage from declared amount (per cent)..... | 42 |
| Acetanilid (grain per tablet)..... | 0.50 |

QUININE SULPHATE TABLETS.

| | |
|---|------|
| Quinine sulphate (grains per tablet)..... | 1.36 |
| Shortage from declared amount (per cent)..... | 33 |

Adulteration of the article labeled "acetanilid tablets" was alleged in the information for the reason that its strength and purity fell below the professed standard and quality under which it was sold, in that it was a product which contained less than 5 grains of acetanilid per tablet, to wit, 2.98 grains of acetanilid per tablet, and was sold as a product which contained 5 grains of acetanilid per tablet.

Misbranding of the article was alleged for the reason that the statement, to wit, "Acetanilid 5 grs. * * * Tablets," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading, in that it represented that the tab-

lets contained in the bottles each contained not less than 5 grains of acetanilid, whereas, in truth and in fact, each of said tablets did not contain 5 grains of acetanilid, but contained a less amount, to wit, approximately 2.98 grains of acetanilid; and for the further reason that said article contained acetanilid and the label failed to bear a statement of the quantity or proportion of acetanilid contained therein.

Adulteration of the article labeled "Nitroglycerine Tablets" was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold, in that it was a product which contained less than 1/50 grain of nitroglycerin per tablet, and was sold as a product which contain 1/50 grain of nitroglycerin per tablet.

Misbranding of the article was alleged for the reason that the statement, to wit, "Nitroglycerine 1/50 gr. * * * Tablets," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading, in that it represented that the tablets contained in said bottle each contained not less than 1/50 grain of nitroglycerin, whereas, in truth and in fact, the tablets contained in said bottles each did not contain 1/50 grain of nitroglycerin, but did contain a less amount, to wit, approximately 0.0139 grain of nitroglycerin.

Adulteration of the article labeled "Acetylsalicylic Acid Tablets" was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold, in that it was a product which contained less than 5 grains of acetylsalicylic acid per tablet, to wit, 4.24 grains of acetylsalicylic acid, and was sold as a product which contained not less than 5 grains of acetylsalicylic acid per tablet.

Misbranding of the article was alleged for the reason that the statement, to wit, "Acetylsalicylic Acid 5 Grains * * * Tablets," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the tablets contained in the bottles each contained not less than 5 grains of acetylsalicylic acid, whereas, in truth and in fact, each of said tablets did not contain 5 grains of acetylsalicylic acid, but contained a less amount, to wit, approximately 4.24 grains of acetylsalicylic acid.

Adulteration of the article labeled "Acetphenetidin and Salol Tablets" was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold, in that it was a product which contained less than $2\frac{1}{2}$ grains of acetphenetidin, and less than $2\frac{1}{2}$ grains of salol per tablet, to wit, 0.37 grain of acetphenetidin and 1.45 grains of salol per tablet, and was sold as a product which contained $2\frac{1}{2}$ grains of acetphenetidin and $2\frac{1}{2}$ grains of salol per tablet.

Misbranding of the article was alleged for the reason that the statement, to wit, "Acetphenetidin $2\frac{1}{2}$ grs. Salol $2\frac{1}{2}$ grs. * * * Tablets," borne on the label attached to the bottle, regarding it and the ingredients and substances contained therein, was false and misleading, in that it represented that said tablets each contained not less than $2\frac{1}{2}$ grains of acetphenetidin and not less than $2\frac{1}{2}$ grains of salol, whereas, in truth and in fact, said tablets each did contain less than $2\frac{1}{2}$ grains of acetphenetidin and less than $2\frac{1}{2}$ grains of salol, to wit, 0.37 grain of acetphenetidin and 1.45 grains of salol per tablet, and for the further reason that said article contained acetanilid and acetphenetidin, a derivative of acetanilid, and the label failed to bear a statement of the quantity or proportion of acetanilid and of acetphenetidin, a derivative of acetanilid, contained therein.

Adulteration of the article labeled "Quinine Sulphate Tablets" was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold, in that it was a product which contained less than 2 grains of quinine sulphate per tablet, and was sold as a product which contained not less than 2 grains of quinine sulphate per tablet.

Misbranding of the article was alleged for the reason that the statement, to wit, "Quinine Sulphate 2 grs. * * * Tablets," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said tablets each contained not less than 2 grains of quinine sulphate, whereas, in truth and in fact, said tablets each did not contain 2 grains of quinine sulphate, but contained a less amount, to wit, approximately 1.36 grain of quinine sulphate.

On December 24, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*